

M I N U T E S  
March 5, 2010  
**Committee on Professional Discipline**

PARTICIPATING:

Committee on Professional Discipline meeting was called to order by Chairman Michael Johnson, Public Member, Boise, at 7:53 a.m. on Friday, March 5, 2010 in the Parkcenter Room of the DoubleTree Club Hotel, in Boise, Idaho. Present were Committee on Professional Discipline members: Wendell Wells, M.D., Burley; Stephen Marano, M.D., Idaho Falls; and Julia Bouchard, M.D., Boise. Also attending were Nancy Kerr, Executive Director; Cathleen Morgan, Board Counsel; Mary Leonard, Associate Director; Beverly Kendrick, Quality Assurance Specialist; Cynthia Michalik, Quality Assurance Specialist; Janet Whelan, Quality Assurance Specialist; Darlene Parrott, Compliance Monitor and Jean Uranga, Attorney for the Board.

Arthur C. Jones, III, MD, Boise, was absent and excused.

MINUTES:

The minutes of the December 4, 2009, meeting were approved as written. (Wells/Unanimous)

COMMITTEE ACTIONS/RECOMMENDATIONS:

At 7:54 a.m., pursuant to Idaho Code §67-2345 (1) (b), (d) and (f), the Committee moved to go into Executive Session to consider pending matters. (Motion Wells – Approved – Bouchard, Johnson, and Marano.)

At 9:56 a.m. the Board of Medicine members joined the meeting: David A. McClusky, II, M.D., Chairman, Twin Falls; Leo Harf, M.D., Vice-Chairman, Nampa, Laura McGeorge, MD, Boise; Ralph Sutherlin, D.O., Meridian; William A Cone, M.D., Lewiston; William F. Ganz, M.D., Coeur d’Alene; Barry Bennett, MD, Idaho Falls; and Trudy Jackson, Public Member, Emmett.

In Executive Session, the Committee met with three Respondents, each accompanied by legal counsel, pursuant to scheduled appearances. Upon departure, the Committee also considered the results of investigations and information presented in each discipline case.

At 11:41 a.m., the Committee acted to leave Executive Session and go into Open Session. (Motion – Marano - Approved – Johnson, Wells, and Bouchard)

In Open Session, the Committee voted on the matters considered during Executive Session and made recommendations to the Board of Medicine as follows:

Case No. PAC-2009-199 - The Committee acted to recommend acceptance of the recommendation of the Physician Assistant Advisory Committee for closure with monitoring by the IMA Physicians Health Program. (Wells/Motion passed)

Case No. 2009-399 - The Committee acted to recommend closure with a Stipulation and Order for a rehabilitation evaluation and follow up. (Wells/Unanimous) (Jean Uranga left the room.)

Case No. BOM-2009-200 - The Committee acted to recommend denial of Respondent's request and to renew the offer of a Stipulation and Order with amendments. (Wells/Unanimous)

Case No. 6504 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6345 - The Committee acted to recommend a record review by a consultant. (Wells/Unanimous)

Case No. 6510 - The Committee acted to recommend further investigation and records review. (Marano/Unanimous)

Case No. 6490 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6467 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6499 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6258 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6525 - The Committee acted to recommend closure with a Stipulation and Order for a rehabilitation evaluation and follow up. (Wells/Unanimous)

Case No. 6477 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. MON-112 - The Committee acted to recommend approval of a request for modification of the terms of a Stipulation and Order. (Wells/Unanimous)

Case No. 6486 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. MON-134 - The Committee acted to recommend referral to Board attorney for follow up with Respondent regarding the procedure to request reconsideration of a final Board order. (Wells/Unanimous)

Case No. 6474 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6496 - The Committee acted to recommend closure with a Confidential Letter of Concern. (Wells/Unanimous)

Case No. MON-27 - The Committee acted to recommend approval of a request for termination of a Stipulation and Order. (Bouchard/Motion passed)

Case No. 6501 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6508 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. MON-31 - The Committee acted to recommend approval of a request for termination of a Stipulation and Order. (Wells/Unanimous)

Case No. MON-79 - The Committee acted to recommend denial of a request for modification of the terms of a Stipulation and Order. (Bouchard/Unanimous)

Case No. 6511 - The Committee acted to recommend closure with a Confidential Letter of Concern. (Bouchard/Unanimous)

Case No. 6475 - The Committee acted to recommend closure with a Public Letter of Reprimand. (Wells/Unanimous)

Case No. 6516 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6461 - The Committee acted to recommend closure with a Confidential Letter of Concern. (Wells/Unanimous)

Case Nos. BOM-2009-173, BOM-2009-124, and BOM-2009-179 - The Committee acted to recommend a Stipulation and Order incorporating the recommendations of the Pine Grove evaluation. (Marano/Unanimous)

Case No. 6476 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 5832 - The Committee acted to recommend closure with a Stipulation and Order prohibiting chronic pain management. (Wells/Unanimous)

The Committee acted to recommend that the following cases be closed by consent motion: Case Nos. 6489, 6493, 6504, 6490, 6499, 6258, 6477, 6486, 6474, 6501, 6516, 6476, 6507, 6494, 6522, 6484, 6479, 6491, 6528, 6464, 6518, 6447, 6446, 6457, 6196, 6526, 6481, 6512, 6483, 6482, 6487, and 6513.

The Committee reviewed follow-up information presented in case Nos. BOM-2009-403, 6255, BOM-2009-410, BOM-1995-288, BOM-2009-405 and BOM-2009-406. No action was required.

The Committee reviewed the Monitoring records and acted to recommend an amendment to the Stipulation and Order in Case No. MON-100. No other action was recommended.

The Committee reviewed the Stipulation and Order Compliance Report. No action was required.

The Committee reviewed compliance with the Patient Freedom of Information Act and noted the one licensee listed on the agenda had complied prior to the meeting.

The Committee reviewed the reports of matters that were determined to be outside of the Board's jurisdiction.

ADJOURNMENT:

Committee Chairman Michael Johnson adjourned the meeting at 11:42 a.m. on Friday, March 5, 2010.